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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

CIVIL ACTION NO. 06-CV-512

|                              |   |   |
|------------------------------|---|---|
| GERARD ECKHARDT,             | ) |   |
|                              | ) |   |
| Plaintiff,                   | ) |   |
|                              | ) |   |
| v.                           | ) |   |
|                              | ) |   |
| BANK OF AMERICA CORPORATION, | ) |   |
|                              | ) |   |
| Defendant.                   | ) |   |
|                              |   | ) |

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**AGREED ORDER TO SUBSTITUTE PROPER PARTY DEFENDANT**

Now before the Court is Defendant's Uncontested Motion to Substitute Proper Defendant, and having considered the Motion, including the consent of Plaintiff, as evidenced by the endorsement of counsel hereon, and it appearing that Bank of America, N.A., is the proper party defendant in this action,

it is ORDERED that Bank of America, N.A., be and hereby is substituted for Bank of America Corporation as the appropriate party defendant in the above-captioned action.

**SO ORDERED.**

Signed: March 21, 2007



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Carl Horn, III  
United States Magistrate Judge



We ask for this:

/s/ Aaron J. Longo

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Counsel for Defendant

Seen and agreed:

/s/ Joshua R. Van Kampen

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